



MEMO ENDORSED

SARAH M. MATZ
PARTNER
SARAH@ADELMANMATZ.COM
DIR: (646) 650-2213

October 4, 2024

VIA ECF

Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square, Courtroom 906
New York, NY 10007

USDC SDNY
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Re: *Grullon v. Lewis, et al*
Case No. 1:24- cv-4892

Hon. Judge Caproni:

We are counsel for the defendants, Steven Lewis (“Lewis”), Galactic Records LLC (“Galactic”) and Giuseppe Zappala (“Zappala”) in the above-referenced action. We write pursuant to Rules 2(C) and 3(A) of Your Honor’s Individual Rules & Practices to respectfully request (i) to reschedule the Initial Pretrial Conference currently scheduled for Friday, October 18, 2024 at 10:00 am to a date that works for all parties i.e. October 22, 2024, if that is available for the Court, and (ii) an extension of time to file a response to Plaintiffs’ Complaint [Dkt. No. 6] (the “Complaint”) from October 7, 2024, to October 21, 2024.

As mentioned in our letter dated September 25, 2024 [Dkt. No. 33], as the undersigned was just retained that day, we needed to coordinate with counsel for Plaintiff and counsel for co-defendants for an alternative mutually available date to provide to the Court, but had submitted that letter in the interests time to ensure that the request was on file as soon as possible in advance of the conference that was scheduled for Friday September 27, 2024. Counsel for Plaintiff and counsel for co-defendants were aware that we intended to propose October 21, 2024 and/or October 22, 2024 prior to the filing of the letter dated September 25, 2024 [Dkt. No. 33], but had not confirmed their respective availability at the time of filing. In addition, this adjournment is necessary as the undersigned will be out of the country, and unable to attend Initial Pretrial Conference currently scheduled for Friday, October 18, 2024 at 10:00 am either in person or by telephone, which counsel for Plaintiff and counsel for co-defendants were also aware of prior to filing the letter dated September 25, 2024 [Dkt. No. 33].

With respect to the response to the Complaint, pursuant to Your Honor’s Order dated September 26, 2024 [Dkt. No. 34], the current deadline for Galactic, Zappala and Lewis to respond to the Complaint is October 7, 2024. Galactic, Zappala and Lewis request a two-week extension of that deadline, so that if granted, Galactic, Zappala and Lewis’s response to the Complaint would be due on October 21, 2024. The reason for this extension request is that

ADELMAN MATZ P.C.

PHONE: (646) 650-2207 • FAX: (646) 650-2108

MAILING:

1159 SECOND AVENUE, SUITE 153
NEW YORK, NEW YORK 10065

OFFICE:

800 THIRD AVENUE, SUITE 2502
NEW YORK, NEW YORK 10022

counsel for Galactic, Zappala and Lewis is still getting up to speed in this matter and in light of the Jewish Holidays needs a short additional extension of time.

This is Galactic, Zappala and Lewis' second request to adjourn the Initial Pretrial Conference and response deadline, as mentioned above, their prior request dated September 25, 2024 [Dkt. No. 33] was granted on September 26, 2024 [Dkt. No. 34]. However, a prior adjournment of the Initial Pretrial Conference was granted on August 12, 2024 [Dkt. No. 25] based on the then current time for responses.

Counsel for Plaintiff has consented to both of the above requests. Counsel for co-defendants UMG Recordings, Inc and Republic Records has also consented.

We greatly appreciate the Court's time and consideration, and should the Court need any additional information we are available at the Court's convenience.

Respectfully Submitted,

ADELMAN MATZ P.C.

/s/ Sarah M. Matz

Sarah M. Matz, Esq.

Application GRANTED. The deadline for Defendants Lewis, Galactic, and Zappala to answer or otherwise respond to the Complaint is ADJOURNED to **Monday, October 21, 2024**.

The initial pretrial conference, currently scheduled for October 18, 2024, is ADJOURNED to **Friday, October 25, 2024 at 10:00 A.M.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007. The parties must file a revised pre-conference joint letter and proposed case management plan not later than **Thursday, October 17, 2024**. In addition to all of the information requested in Paragraph 2 of the Notice of Initial Pretrial Conference (Dkt. 5), the joint letter must indicate the parties' plan to ensure compliance with NY CPLR § 1201, including whether a guardian ad litem needs to be appointed for Mr. Lewis.

In light of the multiple extensions previously granted in this matter, the Court is highly unlikely to further adjourn any of the above-listed deadlines absent good cause. The parties are expected to work diligently and collaboratively to adhere to the Court's deadlines.

SO ORDERED.

 10/7/2024

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE